

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
February 2, 2004

PRESENT: Tom Cowan, Chair
Mark Decker
Don Hoefler
Terry Janicz
Rick Meahl
Christine Falkowski, Planning Board Clerk

The meeting was called to order by Tom Cowan at 7:30 PM.

OLD BUSINESS

- Tom stated that although the Town is negotiating a lease agreement with T-Mobile for a cell tower, they still must follow procedure for Planning Board approval of a site plan per Chapter 84 of Town Code.
- Tom reviewed the minutes from the recent joint meeting with the Town and the Village.
- Relative to comments on the 21-lot subdivision on Stage Road in Clarence, Tom will call Mr. Callahan to make him aware of the close proximity of the tire pile (on the Schultz property).
- Relative to comments on the Gables on the Green subdivision, also in Clarence, we have no comment to offer.
- **Route 5 Overlay Zone/Moratorium of Used Auto Dealers**
Don reported that the Clarence Post Office/Bank of Akron/State Trooper properties on Main Street have a “campus zoning” which is a minimum 80’ from the road, leaving 35’ of greenspace with limited parking. Don offered setbacks for Marilla at 50 – 75’; and Evans at 40’ for structures and 30’ for parking. Tom provided a list of frontage sizes for non-residential parcels on Route 5. Design criteria relative to setbacks was discussed for the side, rear, greenspace and parking/stacking for commercial properties. Side setbacks should be a percentage of the lot width to allow for equity among variations in building sizes. It was decided that we need the transcript from the December 15th meeting we had with Wendel regarding this issue before we can go further. The Board would like to know when the next meeting with Wendel will be scheduled.

Mark made a motion to support a moratorium on new construction for commercial ventures (including change in use) for nine months, seconded by Don and all approved.

Minutes Review - Tom motioned to approve the minutes of January 19, 2004, seconded by Don and all approved.

Special Permit Renewal -used auto dealerships

The following special use permits are approved contingent upon our review of their site plans before May 1, 2004:

- John N. Smith, Jr. - c/o George Hauer..... 11372 Main Road
- David Glian - c/o Richard Belotta..... 13722 Main Road

NEW BUSINESS

Minor Subdivision Application – 1 lot – Berghorn Road

Keith Berghorn would like to split off a two-acre parcel from a 23-acre parcel on Berghorn Road. The number of splits has been checked and approved, and it meets lot dimension requirements. The property is not in a wetlands or flood zone area. The Board raised the concern that the buyer of this two-acre parcel could split it again, thereby impeding Mr. Berghorn’s potential splits. Tom motioned to table this decision until the next meeting, seconded by Mark and all approved. In the meantime, we will write a letter to Mr. Berghorn relaying our concern and inquiring as to his plans for the parent parcel.

Terry motioned to adjourn the meeting at 9:25 PM, seconded by Don and all approved.

Respectfully submitted,
Christine Falkowski, Recording Secretary